

ORDINANCE NO. 1953

AN ORDINANCE REGULATING PUBLIC OFFENSES WITHIN THE CORPORATE LIMITS
OF THE CITY OF RUSSELL, KANSAS, INCORPORATING BY REFERENCE
THE "UNIFORM PUBLIC OFFENSE CODE FOR KANSAS CITIES", EDITION OF 2020
AND AMENDING SECTION 11-101 OF THE CITY CODE

BE IT ORDAINED by the Governing Body of the City of Russell, Kansas:

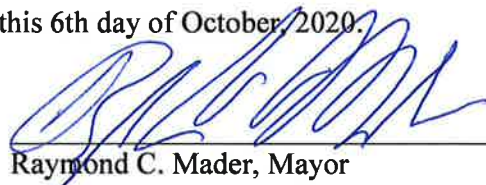
SECTION 1. Section 11-101 Incorporating Uniform Public Offense Code. There is hereby incorporated by reference for the purpose of regulating public offenses within the corporate limits of the City of Russell, Kansas, that certain code known as the "Uniform Public Offense Code", Edition of 2020, prepared and published in book form by the League of Kansas Municipalities, Topeka, Kansas. One official copy of the Uniform Public Offense Code shall be marked or stamped "Official Copy as Adopted by Ordinance No. 1953", and to which shall be attached a copy of this Ordinance and filed with the City Clerk to be open to inspection and available to the public at all reasonable hours. The Police Department, Municipal Judge and all administrative departments of the City charged with enforcement of the Ordinance shall be supplied, at the cost of the City, such number of official copies of the code similarly marked, as may be deemed expedient.


SECTION 2. Section 11-101 of the Code of the City of Russell is amended to read as provided above.

SECTION 3. Effective Date. This Ordinance shall take effect and be in force from and after publication of a summary of the ordinance in the official city newspaper and posting of the full text of the ordinance on the city's website as provided in K.S.A. 12-3007(b).

PASSED by the Governing Body of the City of Russell, Kansas, this 6th day of October, 2020.

APPROVED by the Mayor of the City of Russell, Kansas, this 6th day of October, 2020.


Raymond C. Mader, Mayor

ATTEST:


Katrina Woelk, City Clerk



Uniform Public Offense Code for Kansas Cities, 36th Edition changes

- Addition of definition “explosives” to Article 1, section 1.1 Definitions
- Addition of new section 10.29 “Violation of a Public Health Order”, making it a Class C violation to violate, refuse, or fail to comply with a written order from the County Health Officer. This section was added to mirror ordinances adopted in several cities during the COVID-19 pandemic as a mechanism for enforcement for county health orders through municipal court.
- Changes to the following sections;
 - Section 5.7 “selling, Giving or Furnishing Cigarettes or Tobacco Products to a Minor”
 - On December 20, 2019, the President signed legislation amending the Federal Food, Drug, and Cosmetic Act. The Act made it illegal for a retailer to sell any tobacco product, including cigarettes, cigars, and e-cigarettes, to anyone under the age of 21. While Kansas has not raised the smoking age under state law, the League has made the decision to change the purchasing age of cigarettes to 21 to match federal law. A city can through the adoption of an ordinance to make stricter.
 - Section 10.1 “Criminal Use of Weapons”
 - Deleted (a) 4-10, (d), (e), (f) in compliance with K.S.A. 12-,124 which prohibits a city from adopting or enforcing any ordinance governing the requirement of fees, licenses or permits for, the commerce in or the sale, purchase, transfer, ownership, storage, carry, transporting or taxation of firearms or ammunition, or any component or combination thereof. Section (b) updated to match the deletions in Section 10.1(a).
 - Section 10.1.1 Criminal Carrying of a Weapon
 - Deleted (a)(4) to comply with the requirements of K.S.A. 12-16,124.
- Deletion of the following sections;
 - Section 10.2 “Possession of a Firearm Under the Influence”
 - Deleted 10.2 to comply with K.S.A. 12-16,124.
 - Section 10.3 “Criminal Distribution of Firearms to a Felon”
 - Deleted 10.3 to comply with K.S.A. 12-16,124.
- Corrections in the following sections;
 - Section 5.1.3, citation adjusted, changed to K.S.A. 21-5611
 - Section 6.24, numbering adjusted
 - Section 11.9., citation adjusted, changed to K.S.A. 21-6405